

1 DANIEL G. BOGDEN
2 United States Attorney
3 333 Las Vegas Boulevard, So.
4 Suite 5000
5 Las Vegas, Nevada, 89101
6 Telephone: (702) 388-6787

7 HENRY C. DARMSTADTER
8 NATHANIEL B. PARKER
9 Trial Attorneys, Tax Division
10 U.S. Department of Justice
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683
Telephone: (202) 307-6481
(202) 307-6547
henry.c.darmstadter.usdoj.gov
nathaniel.b.parker@usdoj.gov
Western.Taxcivil@usdoj.gov

11 IN THE UNITED STATES DISTRICT COURT FOR THE
12 DISTRICT OF NEVADA

13
14 JOSEPH G. O'BRIEN,

15 Plaintiff,

16 v.

17 UNITED STATES OF AMERICA,

18 Defendant.

} Case No. 2:07-cv-00986-GMN-GWF

19 UNITED STATES OF AMERICA
20 Counterclaim Plaintiff,

21 v.

22 JOSEPH G. O'BRIEN, MICHAEL V. VILLAMOR,
DAN K. SHAW, and JAMES R. VANWOERKOM,

23 Counterclaim Defendants.

} [PROPOSED] JUDGMENT

25 Before the Court is a Joint Stipulation for Entry of Judgment in favor of the United States and
26 against Dan K. Shaw on the United States' Counterclaim. Upon review of the Stipulation and the record
27

28

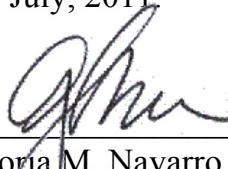
1 in this case, this Court GRANTS judgment against Dan K. Shaw in favor of the United States on its
2 Counterclaim (Docket # 17) to reduce to judgment trust fund recovery penalty assessments arising from
3 the nonpayment of income and FICA taxes withheld from wages paid to employees of VSS Enterprises,
4 LLC, for the third and fourth quarters of 2002 and the first and second quarters of 2003 in the amount of
5 \$3,270,000.00 plus interest thereon from the date of entry of this judgment as provided by 28 U.S.C. §
6 1961(c) and 26 U.S.C. §§ 6621 and 6622.

7 Dan K. Shaw's Counterclaim (Docket # 37) shall be dismissed with prejudice.

8 The United States and Dan K. Shaw shall bear its or his respective fees and costs, including any

9 **IT IS SO ORDERED** this 29th day of July, 2011

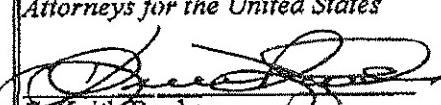
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


Gloria M. Navarro
United States District Judge

Presented by:

DANIEL G. BOGDEN
United States Attorney

HENRY M. DARMSTADTER
NATHANIEL B. PARKER
Trial Attorneys, Tax Division
U.S. Department of Justice
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683
Attorneys for the United States


C. Keith Rooker
C. Keith Rooker PLLC
2375 Corporate Circle, Suite 275
Henderson, Nevada 89074
(702) 534-1600
Attorney for Dan K. Shaw